

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

TIMOTHY ALBERT HENRY,

Petitioner,

v.

ROBERT TOOLE,

Respondent.

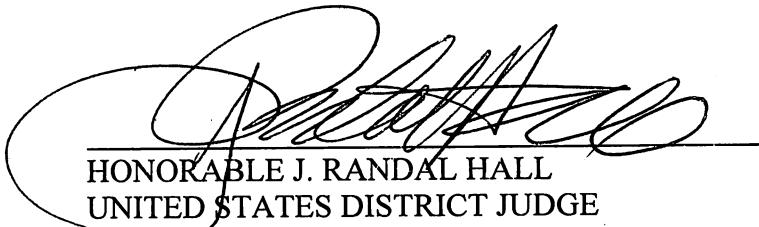
CIVIL ACTION NO.: 6:15-cv-47

O R D E R

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, (doc. 10), to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court.

Petitioner's action, brought pursuant to 28 U.S.C. § 2254, is **DISMISSED**, and Respondent's Motion to Dismiss, (doc. 6), is **GRANTED**. Furthermore, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the Court **DENIES** Petitioner leave to appeal *in forma pauperis* and **DENIES** Petitioner a Certificate of Appealability. The Clerk of Court is hereby authorized and directed to **CLOSE** this case and to enter an appropriate judgment of dismissal.

SO ORDERED, this 10th day of March, 2016.


HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA